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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ZACHARY BARKER COUGHLIN,

Plaintiff,

v.

WASHOE COUNTY SHERIFF'S OFFICE,

Defendant.

3:13-CV-0484-RCJ (VPC)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

This report and recommendation is made to the Honorable Robert C. Jones, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

In September 2013, plaintiff filed a motion to proceed *in forma pauperis* in this case and listed Walmart and the Reno Sparks Indian Colony as defendants (#1). Plaintiff attached a complaint against a litany of defendants beginning with Casey D. Baker and including several judges, courts, and county agencies, but not Walmart or the Reno Sparks Indian Colony. *Id.* The court notes that plaintiff may have also filed this complaint or a similar complaint in case number 3:13-CV-0446-RCJ (WGC) which has been dismissed with leave to amend.¹ Plaintiff also filed a 651-page supplement which includes a hodgepodge of documents filed in other courts such as the Second Judicial District Court and Reno Justice Court (#2).

¹The court notes that plaintiff may have several other cases pending in this court: *Coughlin v. Walmart*, 3:13-CV-0474-RCJ (WGC); *Coughlin v. City of Reno*, 3:13-CV-0446-RCJ (WGC); *Coughlin v. Reno Municipal Court*, 3:13-CV-0539-RCJ (WGC).

1 The court was unclear whether plaintiff intended to initiate a new action or rather supplement
2 an already existing complaint filed in another case or in another court (#3). Therefore, the court
3 ordered the Clerk to forward to plaintiff a form for filing a complaint under 42 U.S.C. § 1983 and a
4 new application to proceed *in forma pauperis*. *Id.* Plaintiff was ordered to file a clear and concise
5 complaint with the new application to proceed *in forma pauperis* on or before January 3, 2014. *Id.*
6 Plaintiff was cautioned that his failure to do so would result in a recommendation to the District Court
7 deny his application to proceed *in forma pauperis* and dismiss the action. *Id.*

8 Plaintiff filed two motions for an extension of time to file an amended complaint (#s 4 & 7)
9 and a motion for appointment of counsel (#5). The court granted plaintiff's request for an extension
10 of time and once again ordered the Clerk to send plaintiff a form for filing a complaint under 42 U.S.C.
11 § 1983 and an application to proceed *in forma pauperis* together with the court's order #3 (#8).
12 Plaintiff was granted an extension of time to February 3, 2014 to file a clear and concise complaint and
13 application to proceed *in forma pauperis*. *Id.* Again, plaintiff was cautioned that failure to do so
14 would result in a recommendation to deny his application to proceed *in forma pauperis* and dismiss
15 this action. *Id.* The court deferred its ruling on the motion to appoint counsel (#5) until plaintiff filed
16 a fully completed motion to proceed *in forma pauperis* and complaint in this case (#8).

17 To date, plaintiff has failed to follow the court's orders and file a complaint and a fully
18 completed application to proceed *in forma pauperis*.

19 Based upon the foregoing, the undersigned magistrate judge recommends that this action be
20 dismissed without prejudice.

21 The parties should be aware of the following:

22 1. They may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules
23 of Practice, specific written objections to this Report and Recommendation within fourteen (14) days
24 of receipt. These objections should be titled "Objections to Magistrate Judge's Report and
25 Recommendation" and should be accompanied by points and authorities for consideration by the
26 District Court.

RECOMMENDATION

DATED: February 6, 2014.

Valerie P. Foster
UNITED STATES MAGISTRATE JUDGE